



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2021-1006; Project Identifier MCAI-2021-00700-T; Amendment 39-21940; AD 2022-03-22]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Airbus SAS Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding Airworthiness Directive (AD) 2019-26-01, which applied to certain Airbus SAS Model A350-941 and -1041 airplanes. AD 2019-26-01 required repetitive detailed inspections, and applicable corrective actions, and provided an optional modification that terminated the inspections. Since the FAA issued AD 2019-26-01, a determination was made that a related production modification was not properly installed on certain airplanes. This AD retains the requirements of AD 2019-26-01, and, for certain airplanes, adds a one-time detailed inspection of the modification for proper installation, and applicable corrective actions if necessary, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of [INSERT DATE 35 DAYS AFTER DATE OF

PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** For the material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); Internet [www.easa.europa.eu](http://www.easa.europa.eu) You may view this IBR material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available in the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-1006.

### **Examining the AD Docket**

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-1006; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3225; email [dan.rodina@faa.gov](mailto:dan.rodina@faa.gov).

### **SUPPLEMENTARY INFORMATION:**

#### **Background**

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2021-0141, dated June 15, 2021 (EASA AD 2021-0141) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus SAS Model A350-941 and -1041 airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part

39 to supersede AD 2019-26-01, Amendment 39-21023 (85 FR 4199, January 24, 2020) (AD 2019-26-01). AD 2019-26-01 applied to certain Airbus SAS Model A350-941 and -1041 airplanes. The NPRM published in the *Federal Register* on November 18, 2021 (86 FR 64416). The NPRM was prompted by reports of sealant bead damage caused by rotation of the attachment fitting bearing assembly of a trimmable horizontal stabilizer (THS) and a determination that a related production modification was not properly installed on certain airplanes. The NPRM proposed to retain the requirements of AD 2019-26-01, and, for certain airplanes, proposed to add a one-time detailed inspection of the modification for proper installation, and applicable corrective actions if necessary, as specified in EASA AD 2021-0141.

The FAA is issuing this AD to address possible water ingress due to sealant bead damage, which could result in corrosion damage in the aluminum corner fitting. This condition, if not addressed, could lead to detachment and loss of the THS, possibly resulting in loss of control of the airplane and injury to persons on the ground. See the MCAI for additional background information.

## **Discussion of Final Airworthiness Directive**

### **Comments**

The FAA received a comment from the Air Line Pilots Association, International (ALPA), who supported the NPRM without change.

### **Conclusion**

The FAA reviewed the relevant data, considered the comment received, and determined that air safety requires adopting this AD as proposed. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products.

## Related Service Information Under 1 CFR Part 51

EASA AD 2021-0141 describes procedures for repetitive detailed inspections for damage of the fillet sealant and corrosion on aluminum in the lower and upper corner fittings and bearing assembly attachment interface at frame (FR) 102, left-hand and right-hand sides, and an optional modification (application of new corrosion protection in the THS upper and lower attachment fitting bearing assembly) that would eliminate the need for the repetitive inspections. EASA AD 2021-0141 also describes procedures for a one-time detailed inspection of the modification of the lower and upper corner fittings and bearing assembly attachment interface at FR 102, left-hand and right-hand sides (Airbus production modification 113102) for discrepancies (including missing sealant bead, cracks in the sealant bead, and corrosion on the affected bearing zone) and corrective actions (including, but not limited to, a check for grease, a check for cracks in the sealant bead, applying sealant, torquing the bearing nut, inspecting for corrosion on the affected bearing zone, applying corrosion preventative compound and actions to address missing grease and corrosion). This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

### Costs of Compliance

The FAA estimates that this AD affects 15 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

#### Estimated costs for required actions

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 2019-26-01	30 work-hours X \$85 per hour = \$2,550	\$0	\$2,550	\$38,250
New actions	32 work-hours X \$85 per hour = \$2,720	\$0	\$2,720	\$40,800

The FAA has received no definitive data that enables the agency to provide cost estimates for the corrective actions (including repair) specified in this AD.

#### **Estimated costs of optional actions**

<b>Labor cost</b>	<b>Parts cost</b>	<b>Cost per product</b>
34 work-hours X \$85 per hour = \$2,890	\$0	\$2,890

#### **Authority for this Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### **Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### **The Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

#### **PART 39 - AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. The FAA amends § 39.13 by:

a. Removing Airworthiness Directive (AD) 2019-26-01, Amendment 39-21023

(85 FR 4199, January 24, 2020); and

b. Adding the following new AD:

**2022-03-22 Airbus SAS:** Amendment 39-21940; Docket No. FAA-2021-1006; Project Identifier MCAI-2021-00700-T.

#### **(a) Effective Date**

This airworthiness directive (AD) is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **(b) Affected ADs**

This AD replaces AD 2019-26-01, Amendment 39-21023 (85 FR 4199, January 24, 2020) (AD 2019-26-01).

**(c) Applicability**

This AD applies to Airbus SAS Model A350-941 and -1041 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2021-0141, dated June 15, 2021 (EASA AD 2021-0141).

**(d) Subject**

Air Transport Association (ATA) of America Code 53, Fuselage.

**(e) Reason**

This AD was prompted by reports of sealant bead damage caused by rotation of the attachment fitting bearing assembly of a trimmable horizontal stabilizer (THS) and a determination that a related production modification was not properly installed on certain airplanes. The FAA is issuing this AD to address possible water ingress due to sealant bead damage, which could result in corrosion damage in the aluminum corner fitting. This condition, if not addressed, could lead to detachment and loss of the THS, possibly resulting in loss of control of the airplane and injury to persons on the ground.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Requirements**

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2021-0141.

**(h) Exceptions to EASA AD 2021-0141**

(1) Where EASA AD 2021-0141 refers to February 21, 2018 (the effective date of EASA AD 2018-0037), this AD requires using February 28, 2020 (the effective date of FAA AD 2019-26-01).

(2) Where EASA AD 2021-0141 refers to its effective date, this AD requires using the effective date of this AD.

(3) The “Remarks” section of EASA AD 2021-0141 does not apply to this AD.

**(i) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, Large Aircraft Section, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the Large Aircraft Section, International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(i) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(ii) AMOCs approved previously for AD 2019-26-01 are approved as AMOCs for the corresponding provisions of EASA AD 2021-0141 that are required by paragraph (g) of this AD.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, Large Aircraft Section, International Validation Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC)*: For any service information referenced in EASA AD 2021-0141 that contains RC procedures and tests: Except as required by paragraph (i)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without



obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

**(j) Related Information**

For more information about this AD, contact Dan Rodina, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3225; email [dan.rodina@faa.gov](mailto:dan.rodina@faa.gov).

**(k) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2021-0141, dated June 15, 2021.

(ii) [Reserved]

(3) For EASA AD 2021-0141, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); Internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to:

<https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on January 28, 2022.

Lance T. Gant, Director,  
Compliance & Airworthiness Division,  
Aircraft Certification Service.

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